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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,554	10/31/2003	Karl Johnson	081776-0306363	8401

909 7590 08/25/2006

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EXAMINER

NGUYEN, PHONG H

ART UNIT PAPER NUMBER

3724

DATE MAILED: 08/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. Upon further consideration, the allowable subject matter of claims 12, 13, 21 and 22 are withdrawn.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-22, 40-49, 51, 53 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sederberg et al. (5,992,023), hereinafter Sederberg.

Sederberg teaches a metal demolition shears comprising a fixed jaw 14 having a fixed blade 66 with a first cutting/shearing edge, a movable jaw 16 having a second cutting/shearing edge (formed by blade 116) and a wear plate/piercing tip insert 140 having one cutting tip 144. See Figs. 1-14.

Sederberg fails to teach the geometric configuration of the wear plate/pierce tip being the same in a first position and a second position, wherein the second position is a position in which the wear plate/tip insert is rotated 180 degrees.

Sederberg teaches the geometric configuration of the cutting tip of the blade 116 being the same in the first position and the second position. See Fig. 13 and 14.

Therefore, it would have been obvious to one skilled in the art to provide the wear

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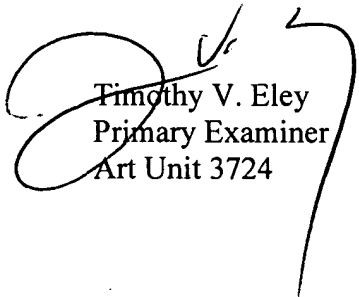
plate/pierce tip 140 the geometric configuration as taught in the blade 116 (which is to have two cutting tips) so that both ends of the wear plate/pierce tip can be used to reduce the spare part of the wear plate/pierce tip.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phong H. Nguyen whose telephone number is 571-272-4510. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Timothy V. Eley
Primary Examiner
Art Unit 3724

PN:



August 14, 2006